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APPLICATION N	NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,320 08/15/2001		08/15/2001	May Shana'a	J6638(C)	3577
201	7590	11/07/2003		EXAMINER	
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45 RIVE	T DEPARTN R ROAD	MENT	ART UNIT	PAPER NUMBER	
EDGEWATER, NJ 07020				1617	
				DATE MAILED: 11/07/2003	1+

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action    DeSagna   Comment   Comment		Application No.	Applicant(s)					
Examiner  The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 21 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abendomment of his application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed Molicouranc; (2) a timely filed Molicourance (2) at lamply filed Molicourance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)!  a) The period for reply expires 3_months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no evert, however, will be statistively period for reply expires 0. (1) the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST KEPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP  Extensions of time may be obtained under 37 CFR 1.13(s). The date on which the petition under 37 CFR 1.13(s) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension fee for the final rejection.  (2) as set forth in (3) above, if he date for purposes of determining the period of extension fee filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.	Advisory Action	09/930,320	SHANA'A ET AL.					
THE REPLY FILED 21 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal feet; or (3) a timely filed Notice of Appeal (with appeal feet; or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)]  a) The period for reply expires 2 months from the mailing date of the final rejection.  b) The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the reply expired of a oxtension and the corresponding amount of the final rejection.  A Notice of Appeal was filed on	ravioury riodon	Examiner	Art Unit					
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1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) they raise new issues that would require further consideration and/or search (see NOTE below);  (b) they raise the issue of new matter (see Note below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they present additional claims without canceling a corresponding number of finally rejected claims. NOTE:  3. Applicant's reply has overcome the following rejection(s):  4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the ron-allowable claim(s).  5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.  6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) objected to:	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if							
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	10. 1 Other: interview cummary		Shengjun Wang					

Continuation of 5. does NOT place the application in condition for allowance because: of the reasons set forth in the prior office action. The arguments presented in the reply are not persuasive. Particularly, the argued limitation, i.e., narrowed definition of base composition, and performance agents, are not in the claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Further, Rath teaches the method of customization of cosmetic product by providing a base composition and a plurality of variable performing agents which may be selected by customers. The components in the base composiiton would be obviously depend on the type of cosmetics, or the type customers, which would have been a matter of optimization of result effective parameters.